



Wiggin and Dana LLP
One Century Tower
265 Church Street
New Haven, Connecticut
06510
www.wiggin.com

Jenny R. Chou
203.498.4302
203.782.2889 fax
jchou@wiggin.com

Via ECF

February 8, 2022

Honorable Judge Gregory H. Woods
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Kumaran, et al. vs. Vision Financial Markets, LLC, et al.
Docket No. 1:20-Cv-03871-GHW-SDA

Dear Judge Woods:

I write on behalf of Defendants Vision Financial Markets LLC, Vision Investment Advisors, LLC, Vision Brokerage Services, LLC, H. Rothman Family LLC, Boshnack Family LLC, High Ridge Holding Company, LLC, High Ridge Futures LLC, Lazzara Consulting Inc., Howard Rothman, Robert Boshnack, John Felag, and Gerard Stephen Lazzara (the "Vision and Lazzara defendants") to clarify the record and to respectfully request an extension of time to respond to Plaintiffs' "Appeal to District Judge of Decision at ECF129" (Dkt. No. 130).

Plaintiffs' Appeal was filed on February 4, 2022, which would normally require Defendants to respond on or before February 18, 2022. However, in light of Plaintiffs' pending motions for excess pages (Dkt. Nos. 131 and 132), the forthcoming court conference regarding the motions for excess pages, and the resulting uncertainty regarding whether Plaintiffs' Appeal can or will be maintained in its current form, earlier today undersigned counsel for the Vision and Lazzara defendants wrote to Ms. Kumaran and Attorney Brian August in relevant part as follows:

[W]ould you consent to a request by the Vision and Lazzara defendants to extend their time to respond to the appeal until 14 days after (i) a decision by the Court on the motions for excess pages, or (ii) such time as the form and scope of plaintiffs' appeal is finalized, whichever is later?

Ms. Kumaran acknowledged receipt of, but did not respond substantively to, counsel's request for consent. Mr. August did not respond. Ms. Kumaran and Mr. August proceeded to file a "Letter Regarding Conference Scheduled for February 11" (Dkt. No. 137) which misrepresented the nature of the Vision and Lazzara defendants' request for extension of time. Contrary to plaintiffs' representations in their Letter, the Vision and Lazzara defendants are not seeking a set 28 days to respond to the Appeal. Rather defendants respectfully seek to have their 14-day period to respond run from the time that the uncertainties around the form and scope of plaintiffs' Appeal are

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resolved, to avoid the cost, burden, and prejudice of preparing a response to an appeal that might not be accepted by the Court in its current form. This is the Vision and Lazzara defendants' first request for an extension of this deadline.

Respectfully submitted,



Jenny R. Chou

Counsel for Defendants Vision Financial Markets LLC, Vision Investment Advisors, LLC, Vision Brokerage Services, LLC, H. Rothman Family LLC, Boshnack Family LLC, High Ridge Holding Company, LLC, High Ridge Futures LLC, Lazzara Consulting Inc., Howard Rothman, Robert Boshnack, John Felag, and Gerard Stephen Lazzara